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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,881	03/23/2004	Gregory Lee Brookshire	TI-36253	2680
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EXAMINER				
HUYNH, NAM TRUNG				
ART UNIT		PAPER NUMBER		
2617				
NOTIFICATION DATE		DELIVERY MODE		
06/11/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/806,881

Applicant(s)

BROOKSHIRE, GREGORY LEE

Examiner

NAM HUYNH

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 2/18/2008. No amendments were made to previously presented claims 1-21.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yi et al. (US 2004/0174831) (hereinafter Yi) in view of Muthukkaruppan (US 6,182,202) (hereinafter Muthuk).

Regarding claims 1, 3, 4, 5, and 7, Yi discloses a method and apparatus for data transmission suitable for a high-performance wireless LAN. In the scope of the invention, a media access controller (MAC) (master/processor) performs data

transmission with a baseband processor (BBP) (slave/LAN adapter) using a serial communication interface. The MAC includes a data path and a control signal path for mutual transmission of data and control signals with the BBP (page 3, paragraph 37). The control path is a transmission path that allows for the reading and writing of the contents of a register provided in the BBP and uses a serial peripheral interface (SPI) (page 3, paragraph 38).

Yi does not explicitly disclose that the slave device is configurable to operate in multiple modes including a direct memory addressing mode and an indirect memory addressing mode. Muthuk discloses generating computer instructions having operand offset length fields for defining the length of variable length operand offsets (title). In the scope of the invention, instructions (read/write commands) (column 1, lines 13-21) have a variable length defined by a particular operand offset. The command further comprises control code bytes that indicate whether a particular operand offset is applied in an indirect or direct addressing mode (column 7, lines 57-65; column 8, lines 1-3). With reference to figure 3, an instruction is illustrated containing 12 bytes, and in figure 4, an instruction is illustrated containing 9 bytes, thus showing "fewer bits being transferred for reads and writes". The instructions may either have a direct or indirect address which is specified by the control code byte (figure 3, items 310, 318, and 324; figure 4, items 406, 412, and 416). Because of the variable command length and the ability to specify the type of addressing for the commands, the Examiner asserts that it is in the scope of the invention to possibly have the command of figure 3 operate in the direct addressing mode and the command of figure 4 to operate in the indirect

addressing mode, thus rendering the limitations of the claim. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Yi, to include the capability to send commands that apply either direct or indirect addressing in a reduced length, as taught by Muthuk, in order to increase scalability and decrease fragmentations problems within the system by reducing the amount of unused space in fields of an instruction. Furthermore, it is obvious to a skilled artisan that commands that relate to indirect addressing use less addressing space, or fewer bits, as can be seen in Hunt et al. (2004/0054949) (paragraphs 2-6).

Regarding claim 2, Yi illustrates in figure 6B a timing diagram for illustrating the transmission of transmission-rate data to a baseband processor from the serial peripheral interface circuit (page 2, paragraph 30). It can be seen from the figure that this transmission rate-data is transmitted in 40 bits, which is greater than the reduced length instructions associated with the commands of the indirect/direct addressing modes taught by Muthuk.

Regarding claim 6, it is further obvious to one of ordinary skill in the art that an indirect addressing mode would conserve processing resources and in turn, conserve power in a battery operated device.

Regarding claim 8, the limitations are rejected as applied to claim 1. Furthermore the "multiple modes, each mode being associated with a different read/write command length" is rendered by the direct/indirect address modes as explained in regards to claim 1. Yi additionally teaches that the electronic device that

includes the MAC and BBP is exemplified as a mobile device such as a PDA (battery powered) and that the MAC and BBP transfer signals to each other containing transmission data length (data length field) (page 3, paragraph 38), a read/write bit (read/write field), and an address pointer field (address field) (page 5, paragraph 70).

Regarding claim 10, the indirect addressing mode of the combination of Yi and Muthuk renders the "low power compatible mode".

4. Claims 11, 12, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yi et al. (US2004/0174831) (hereinafter Yi) in view of Muthukkaruppan (US 6,182,202) (hereinafter Muthuk) and further in view of Cromer et al. (US 2004/0002366) (hereinafter Cromer).

Regarding claim 11, the combination of Yi and Muthuk discloses the limitations set forth in claim 10, but does not explicitly disclose that the processor and the slave device are configured to communicate in the low power compatible mode when only the battery provides power to the processor and slave device. Cromer teaches the determination of a power source, whether it is auxiliary, battery, or DC of a power source (page 1, paragraph 10). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Yi and Muthuk to include the determining if the mobile device is currently operating on battery power, as taught by Cromer, in order to implement the indirect addressing mode between the MAC and BBP. As previously discussed, the indirect addressing mode

consumes less power and thus would conserve power when the mobile device operates on battery power.

Regarding claim 12, Cromer teaches the determination of whether the available battery power is a certain percentage (threshold amount) (figure 8, item 812).

Regarding claims 13, 17, 18, 20, and 21, the limitations are rejected as applied to claims 11 and 12 wherein the power consumption parameter is the determination of what power source the mobile device is operating on and the percentage of available power when operating by battery taught by Cromer.

Regarding claims 14 and 15, it is further obvious that the length of the instructions depends on the type of processor.

Regarding claim 16, the MAC controls the BBP in the invention of Yi. The BBP performs functions associated with a wireless communication protocol such as to modulate/demodulate and transmit/receive data (page 2, paragraph 35).

Regarding claim 19, the limitations are rejected as applied to claim 8 wherein the "first device" is the MAC and the "second device" is the BBP. The "first mode" is rendered by the direct addressing mode and the "second mode" is rendered by the indirect addressing mode taught by Muthuk. Yi additionally teaches that the BBP transmits at least one of the transmission rate data and the transmission length data in response to an event signal ("not busy" signal) (page 1, paragraph 11, the event signal renders the not busy signal since the even signal initiates the transmission of the rate data and length data).

Response to Arguments

5. Applicant's arguments with respect to claims 1-8 and 10-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAM HUYNH whose telephone number is (571)272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

Application/Control Number: 10/806,881

Page 8

Art Unit: 2617

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